

United States District Court
District of Massachusetts

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FERRING PHARMACEUTICALS, INC.,)	
)	
Plaintiff-Counterclaim)	
Defendant,)	
)	Civil Action No.
v.)	13-12553-NMG
)	
BRAINTREE LABORATORIES, INC.,)	
)	
Defendant-Counterclaim)	
Plaintiff.)	
)	

ORDER

GORTON, J.

Counsel are hereby notified that this Session of the United States District Court for the District of Massachusetts does not accept correspondence on official court business such as the letter from plaintiff's newly retained counsel dated December 2, 2016 (Docket No. 607). In the future all such communications with this Court will be in the form of a motion.

Due to the time sensitivity of the issue at hand, however, the Court will, on this occasion only, respond to counsel's letter request:

- 1) the trial in this case has already been postponed once and the trial date was set for January 17, 2017 at the status conference on August 16, 2016. At that time it was anticipated that trial would continue until at least the end of January, 2017;

- 2) newly retained counsel should have forewarned his client of his conflict in his California case (or made his representation conditional upon his obtaining a postponement in this case) if he was unable to continue the motion in the former case;
- 3) the trial in this case will commence on Monday, January 23, 2017, at 9:00 A.M., will proceed on at least four (4) days that week and thereafter day to day until complete under time limits yet to be determined; and
- 4) the Court will agree to postpone the trial on either Thursday or Friday, January 26 or 27 but not both days and counsel will simply have to make arrangements for coverage in his absence from the plethora of attorneys available at his firm or in co-counsel's firm.

SO ORDERED



Nathaniel M. Gorton
United States District Judge

Dated: December 5, 2016